

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on February 9, 2009 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: None

Members Absent: None

Staff Present: Shirley Chovanak, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 359, 2/5/2009; HB 77, 2/5/2009;
HB 313, 2/5/2009

Executive Action: None

00:00:00 Chairman Milburn

HEARING ON HB 359

Opening Statement by Sponsor:

00:00:58 Rep. JP Pomnichowski (D), HD 63, opened the hearing on
HB 359, Public notice and hearing for opencut
applications.

EXHIBIT (nah30a01)

Proponents' Testimony:

00:19:28 James Wilber, Resident, East Helena

00:22:06 Carol Lee-Roark, Gallatin Gateway, Montana

EXHIBIT (nah30a02)

00:26:47 Sen. Cliff Larson, SD 50

00:27:12 Jennifer Nye, Resident, East Helena

00:28:13 Jeannie Riley, Resident, East Helena

00:28:49 Ryan Williams, Representative, Casa Grande Subdivision,
East Helena

00:30:08 Jerry Ewing, North Valley, Helena

00:32:16 Mike Sedlock, Resident, East Helena

00:36:47 Harold Hoem, Resident, Missoula and Georgetown Lake

00:39:57 Rep. Cohenour, Resident, East Helena

00:41:38 Rich Morse, Resident, Gallatin Gateway

00:44:41 Ann Hedges, Montana Environment Center

00:47:02 Myra Shults, Attorney, Consultant Land Use, Montana
Association of Counties

00:47:28 Shane Skinner, Resident, Bozeman

Opponents' Testimony:

00:48:54 Mike Newton, Fisher Sand and Gravel

EXHIBIT (nah30a03)

00:55:10 Cary Hegreberg, Director, Montana Contractors'
Association

01:00:53 John Alke, Attorney, Knife River

01:06:28 Jerry Bowser, Environment Advisor, Old Castle Materials
Company

Informational Testimony:

01:09:49 Judy Hanson, Administrator, Permitting and
Compliance Division, Department of Environment Quality
(DEQ)

EXHIBIT (nah30a04)

01:12:24 Scott Olsen, Manager, Helena Sand and Gravel

01:13:26 Kent Rice, Legislative Audit Division
[EXHIBIT](#)(nah30a05)

Questions from Committee Members and Responses:

01:14:06 Rep. Belcourt
01:14:51 Mr. Newton
01:16:40 Rep. Dickenson
01:17:34 Ms. Hanson
01:17:47 Christopher Cronin, Project Manager, Application
Services Division, DEQ
01:19:02 Rep. Dickenson
01:19:22 Rep. Cohenour
01:20:30 Rep. Vincent
01:20:58 Mr. Hegreberg
01:21:29 Rep. Vincent
01:21:39 Mr. Hegreberg
01:21:48 Rep. Vincent
01:21:54 Mr. Hegreberg
01:22:14 Chairman Milburn
01:22:38 Mr. Hegreberg
01:24:05 Rep. McGillvray
01:24:54 Mr. Rice
01:25:33 Rep. McGillvray
01:25:40 Mr. Rice
01:26:02 Rep. Hoven
01:26:43 Mr. Newton
01:28:03 Rep. Hoven
01:28:12 Mr. Newton
01:28:32 Rep. Hoven
01:28:44 Mr. Newton
01:29:45 Rep. Hands
01:30:59 Mr. Hegreberg
01:32:34 Rep. Hands
01:33:03 Mr. Newton

Closing by Sponsor:

01:33:31 Rep. Pomnichowski

HEARING ON HB 77

Opening Statement by Sponsor:

01:40:09 Rep. Bill Nooney (R), HD 100, opened the hearing on HB
77, Notification requirement for proposed gravel pit
operations.

Proponents' Testimony:

01:41:38 Myra Shults
01:42:03 Mr. Williams
01:42:59 Rep. Cohenour
01:43:54 Ms. Lee-Roark
01:44:42 Ms. Riley

Opponents' Testimony:

01:45:27 Mr. Hegreberg
[EXHIBIT \(nah30a06\)](#)
01:46:24 Mr. Newton

Informational Testimony:

01:46:54 Ms. Hanson
01:47:02 Mr. Rice

Questions from Committee Members and Responses:

01:47:20 Rep. Hendrick
01:47:37 Rep. Nooney
01:47:54 Rep. Hendrick
01:47:59 Rep. Nooney

Closing by Sponsor:

01:48:34 Rep. Nooney

HEARING ON HB 313

Opening Statement by Sponsor:

01:48:53 Rep. JP Pomnichowski (D), HD 63, opened the hearing on
HB 313, Revise opencut mining laws.

Proponents' Testimony:

01:56:08 Ms. Lee-Roark
[EXHIBIT \(nah30a07\)](#)
01:58:37 Jan Hoem, Resident, Missoula
02:02:29 Mr. Williams
02:03:39 Mr. Skinner
02:05:33 Ms. Shults
02:06:17 Mr. Hoem
02:07:58 Ms. Riley
02:08:36 Pete Stein, Resident, Gallatin Gateway
[EXHIBIT \(nah30a08\)](#)

02:11:08 Susan Rabatin, Resident, Gallatin Gateway
 02:13:03 Mr. Morse
 02:18:13 Casey Perkins, Montana Audubon
 02:18:53 Cathy Brekke, Gallatin Gateway
 02:21:19 Rep. Cohenour

Opponents' Testimony:

02:22:22 Mr. Alke
 02:27:31 Mr. Hegreberg
 02:31:09 Mr. Bowser
 02:34:14 Don Allen, Western Environment Trade Association
 02:35:39 Mr. Newton

Informational Testimony:

02:38:23 Ms. Hanson
 02:38:35 Greg Sullivan, Planning Director, Gallatin County
 02:39:28 Don Seifert, Gallatin County Planning Board

Questions from Committee Members and Responses:

02:40:18 Rep. Vincent
 02:40:57 Mr. Hegreberg
 02:42:38 Rep. Vincent
 02:42:46 Ms. Hanson
 02:43:37 Rep. Reinhart
 02:43:59 Ms. Hanson
 02:44:21 Rep. Reinhart
 02:44:38 Mr. Alke
 02:46:41 Rep. Reinhart
 02:46:58 Mr. Sullivan
 02:48:26 Rep. Reinhart
 02:48:32 Mr. Sullivan
 02:51:06 Rep. Reinhart
 02:51:39 Mr. Hegreberg
 02:53:25 Rep. Dickenson
 02:54:05 Rep. Pomnichowski
 02:55:27 Rep. Hendrick
 02:56:12 Ms. Hanson
 02:57:17 Rep. Hendrick
 02:58:02 Mr. Hegreberg
 02:59:38 Rep. Mendenhall
 03:00:11 Rep. Pomnichowski
 03:01:20 Rep. Mendenhall
 03:01:53 Rep. Pomnichowski
 03:02:02 Rep. Mendenhall
 03:02:39 Rep. Pomnichowski
 03:02:49 Rep. Mendenhall
 03:04:06 Mr. Alke

Closing by Sponsor:

03:06:56 Rep. Pomnichowski

ADJOURNMENT

03:13:56 Adjournment

Shirley Chovanak, Secretary

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Additional Documents:

EXHIBIT ([nah30aad.pdf](#))